

February 2, 1973

Honorable George Pai
Attorney General of Hawaii
State Capitol
Honolulu, Hawaii 96813

ATTN: Mr. Alan Goda,
Deputy Attorney General

Re: Review of Hawaii Law Regarding
FWPCA, NPDES

Dear Mr. Goda:

This office has been making an analysis of the laws of the respective states located in Region IX in comparison with the requirements of the FWPCA, as amended, Section 402 for participation in the National Pollutant Discharge Elimination System (NPDES) and enclosed is a copy of our analysis which was prepared for the State of Hawaii.

We are requesting that you review the analysis and, as quickly as possible, send my office your informal written response to each of the numbered items. Would you please specify your agreement or disagreement with the comments shown, point out anything you feel is missing and add your own comments.

It appears that many of the comparisons which have been designated as authority lacking or inadequate, may be handled by regulation adopted, amended or modified by the appropriate Hawaiian agency.

Also enclosed is a copy of the "Selected Provisions of State Law Enabling Participation by the state in the NPDES Established Under the FWPCA, as amended" which was prepared by a joint EPA-State task group.

This document was not available to my office at the time we prepared the comparison to Hawaii State law to FWPCA, as amended, Section 402.

I anticipate being in Hawaii sometime the second week of February and will call you.

If after review of the two documents enclosed, you feel we can be of help, please let us know as we are anxious to give you all possible assistance.

Sincerely,

/s/ Cassandra Dunn

CASSANDRA DUNN,
Regional Legal Counsel

P.S. The proposed Bill to amend H.R.S. 342 was used in the analysis enclosed. We assume the Bill will become law.

Enclosures:

1. FWPCA, as amended
2. 37 F.R. No. 247
3. Comparison-Analysis
4. "Selected Provisions
of State Law . . ."

cc: AG (Office of General Counsel)
Washington, D.C.

Richard O'Connell, Director 302 ✓
Enforcement Division
EPA, Region IX, San Francisco